THE HONOURABLE SRI JUSTICE
B.SESHASAYANA REDDY

WRIT PETITION NO.25597 of 2002

Disposed of on : 05-07-2006.

BETWEEN:

A.V.S.SUBRAMANYAM SWAMY
AND OTHERS

.. PETITIONERS

AND

ASSISTANT ENGINEER, IRRIGATION SECTION,
MARTERU,
PENUMANTRA MANDAL,
W.G.DIST AND ANOTHER

.. RESPONDENTS

THE HONOURABLE SRI JUSTICE
B.SESHASAYANA REDDY

WRIT PETITION NO.25597 of 2002

ORAL ORDER:

Heard learned counsel for both the parties.

An interim order came to be passed in WPMP.No.32328 of 2002 in W.P.No.25597 of 2002 on 27.12.2002, which reads as under:

> " Learned Government Pleader for irrigation seeks time to file counter affidavit.
>
> Prima facie, I am satisfied that there are no prohibitory orders issued as contemplated under section 26 of the A.P. Irrigation Act. Apart from that, the petitioners submitted reply to the notice saying that they

are drawing water in their own lands by digging borewells and raised paddy crops. If the crops are not cut they will go waste.

In the circumstances, there shall be interim direction to the respondents to permit the petitioners to cultivate their lands and to cut the crops in their lands pending further orders.

Notice."

By virtue of the interim order the petitioners raised second crop for the year 1412 fasli. Since the relief in the writ petition is only in respect of 1412 fasli, no cause of action survives for continuing the writ proceedings.

Accordingly, this writ petition is dismissed as having become redundant. No costs.

Dt: 5-7-2006. (B.Seshasayana Reddy,J)

Tnb

THE HONOURABLE SRI JUSTICE
B.SESHASAYANA REDDY

WRIT PETITION NO.25597 of 2002

Dated: 05-07-2006.